

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated October 11, 2005, claims 1-33 are pending in the application. The allowability of claims 8-30, 32, and 33 is acknowledged. The allowability of claims 3 and 4 if rewritten in independent form is also acknowledged. Claim 30 has been rewritten in independent form to include the limitation of claim 31. Claim 31 has been canceled. Applicants respectfully request the Examiner to reconsider the rejections.

Claims 1, 2 and 7 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Woywod* (6,366,844). Applicants respectfully traverse.

Claim 1 is directed to a method for controlling an automotive vehicle that includes detecting a potential for wheel lift, determining a wheel lift pressure request to determine wheel lift, generating a roll control pressure request and suppressing the wheel lift pressure request in response to the roll control pressure request. The Examiner points to Col. 4, lines 47 through Col. 5, line 18, for generating a roll control pressure request and suppressing the wheel lift pressure in response to the roll control pressure request. Applicants have reviewed these sections and can find no teaching or suggestion for suppressing a roll control pressure request and suppressing the wheel lift pressure request in response to the roll control pressure request. Applicants admit that a wheel lift may be determined using brake torque or driving torque as set forth in Col. 3, line 64. However, the passage in Cols. 4 and 5 does not teach or suggest suppressing the wheel lift pressure request in response to the roll pressure request. In fact, Applicants believe that no roll control pressure request is set forth therein.

Applicants have reviewed Col. 4, lines 47 through Col. 5, line 18. Applicants admit that the *Woywod* reference is difficult to understand, probably due to translation problems. Applicants admit that in at least two places the *Woywod* reference describes "in forming other components 330 qualitatively about the existence of a critical transverse acceleration and to induce a change in the control strategy in these other components." This is set forth in Col. 5,

lines 7-11. Another place in lines 19-21 states that "...it may be desirable to inform qualitatively further components 30 of the brake control that a critical situation exists by way of a signal 312 so that these components can appropriately modify their strategies." Applicants believe that these are the only sections that come close to the present invention. However, these sections fail to specifically teach what the notification is and what the result is. Applicants do not believe that these passages teach suppressing the wheel lift pressure request (for determining wheel lift) in response to the roll control pressure request. In response to Applicants' argument, the Examiner states, "Woywod further discloses wherein the other control components are influenced by the detection of the critical transverse acceleration, wherein the braking for counteracting the transverse acceleration takes priority over the previous braking components/strategies in place." Applicants cannot find a teaching for prioritizing the strategies set forth by the Examiner. Although the *Woywod* reference in Col. 5, lines 3-26, describe braking to reduce rollover "even in partial braking prevails or there is no braking at all." Nowhere does the *Woywod* reference specifically say that they are suppressing the wheel lift pressure request in response to the roll control pressure request. In order to avoid an appeal, the Examiner is invited to contact the undersigned to discuss this matter should the Examiner disagree with Applicants' position. Applicants therefore respectfully request the Examiner to reconsider the rejection of Claims 1, 2, 5 and 7.

Claims 5 and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Woywod* in view of *Yamada* (6,315,373). Applicants respectfully traverse.

The *Yamada* reference also does not teach or suggest suppressing the wheel lift pressure request in response to the roll control pressure request as set forth in Claim 1. Therefore, applicants respectfully request the Examiner to reconsider the rejection of Claims 5 and 6.


In light of the above remarks, Applicants submit that all rejections are now overcome and the application is now in condition for allowance and expeditious notice thereof is earnestly

8
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solicited. Should the Examiner have any questions or comments which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to deposit account 06-1510 or, if insufficient funds in that account, use deposit account 06-1505.

Respectfully submitted,


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